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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q56197

Chiaki IGARASHI

Appln. No.: 09/415,205

Group Art Unit: 2681

Confirmation No.: 4491

Examiner: Erika A. GARY

Filed: October 12, 1999

For: RADIO TELEPHONE SYSTEM

**PETITION FOR WITHDRAWAL OF HOLDING OF ABANDONMENT UNDER MPEP
SECTION 7.11.03(c)(I) and 37 CFR § 1.181**

MAIL STOP PETITION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the Notice of Abandonment (Paper No. 2), mailed May 9, 2005, and in accordance with the requirements of MPEP §711.03(c)(I) and 37 CFR § 1.181, Applicant hereby petitions for withdrawal of the holding of abandonment as the application was not in fact abandoned. Specifically, contrary to the Notice of Abandonment, Applicant timely filed the corrected drawing of Figure 4 as required by the Examiner, which corrected drawing was acknowledged and approved by the Examiner in the November 5, 2002 Office Action.

Supporting Evidence

1. On August 21, 2002, Applicant filed a fully responsive Amendment to the May 21, 2002 Office Action. That Amendment is attached hereto as Exhibit A. The Amendment included a Request for the Approval of Proposed Drawing Corrections and a corrected drawing of Figure 4, which corrected drawing was labeled Prior Art as required by the Examiner. A copy of the August 21, 2002 Amendment from the USPTO files [i.e., Exhibit A] shows that the Amendment with a Request for Approval of Drawing Corrections was received by the USPTO on August 21, 2002, and was received by Technology Center 2600 on August 26, 2002. The Request for Approval of Proposed Drawing Corrections was labeled Paper # 11, carries the

initials "LB" and is dated August 27, 2002, the day following receipt by Technology Center 2600. This Request also bears an approval legend that reads: "approved E[?] 4/23/03".

2. In addition, the corrected drawing filed with the August 21, 2002 Amendment was expressly accepted by the Examiner in the November 5, 2002 Office Action, responsive to the August 21, 2002 Office Action, wherein he states under Application Papers:

10)[X] The drawing(s) filed on August 27 (sic), 2002 is/are a [X] accepted
... by the Examiner. (Emphasis supplied.)

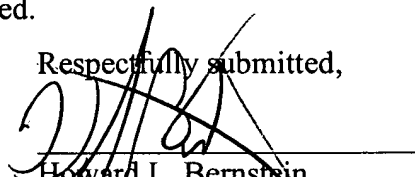
A copy of the PTO - 326 , Office Action Summary, issued on November 5, 2002, establishing acceptance of the corrected drawing of Figure 4, filed with the August 21, 2002 Amendment is attached hereto as Exhibit B. Therefore, based on the Examiner's acceptance of the drawing, Applicant was under no obligation to file any additional drawing as it was understood from the Examiner's acceptance of the drawing that all drawing requirements had been met.

3. For the convenience of the Office, a copy of the corrected Figure 4, labeled Prior Art is attached hereto as Exhibit C.

Summary

For the foregoing reasons it is submitted that this Petition under MPEP §711.03(c)(I) and 37 CFR § 1.181 is proper and should be granted. As the Petition was occasioned by a PTO error, it is believed that no petition fee is required. However, if a petition fee is required, please charge that fee to deposit account No. 19-4880, as required.

Respectfully submitted,


Howard L. Bernstein
Registration No. 25,665

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: June 23, 2005



AO

26818

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of

Chiaki IGARASHI

Appln. No.: 09/415,205

Confirmation No.: 4491

Filed: October 12, 1999

For: RADIO TELEPHONE SYSTEM

Docket No: Q56197

Group Art Unit: 2681

Examiner: CONTEE, JOY KIMBERLY

RECEIVED

AUG 26 2002

Technology Center 2600

EXCESS CLAIM FEE PAYMENT LETTER

Commissioner for Patents
Washington, D.C. 20231

Sir:

An Amendment Under 37 C.F.R. § 1.111 is attached hereto for concurrent filing in the above-identified application. The resulting excess claim fee has been calculated as shown below:

	After Amendment	Highest No. Previously Paid For					
All Claims	<u>12</u>	<u>20</u>	=	<u> </u>	X	<u>\$18.00</u>	= <u>\$0.00</u>
Independent	<u>5</u>	<u>4</u>	=	<u>1</u>	X	<u>\$84.00</u>	= <u>\$84.00</u>
TOTAL						=	<u>\$84.00</u>

A check for the statutory fee of \$84.00 is attached. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this letter is enclosed.

Respectfully submitted,

Howard L. Bernstein
Registration No. 25,665SUGHRUE MION, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3213
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

Date: August 21, 2002

#12/6
LB
9/27/02



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q56197

Chiaki IGARASHI

Appln. No.: 09/415,205

Group Art Unit: 2681

Confirmation No.: 4491

Examiner: CONTEE, JOY KIMBERLY

Filed: October 12, 1999

RECEIVED

For: RADIO TELEPHONE SYSTEM

AUG 26 2002

Technology Center 2600

AMENDMENT UNDER 37 C.F.R. § 1.111

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action dated May 21, 2002, please amend the above-identified application as indicated below. An enclosed Appendix contains the amendments with markings to show changes made.

IN THE SPECIFICATION:

Page 3, replace the second full paragraph with the following paragraph:

When the master receives the line connection request and the unit ID, it checks whether the unit ID is of its own slave telephone set. If the two unit IDs are identical, the master telephone set finds a vacant communication channel, and assigns the found vacant communication channel n to the slave telephone set.

Page 13, replace the second full paragraph with the following paragraph:

B2 The operation of the embodiment will now be described. Fig. 3 is a view showing a control sequence in the radio telephone system in this embodiment. In the radio telephone system to be described with reference to Fig. 3, two unit IDs (XX, YY) are registered in the slave unit at the time of the manufacture. The IDs (XX, YY) of the slave telephone set are also registered in the master telephone set by a registering operation. Two telephone sets A and B are connected to the master telephone set.

IN THE CLAIMS:

Please enter the following amended claims:

B3 6. A radio telephone communications method, in which a plurality of slave telephone sets is connected to a public telephone network through radio communication with a master telephone set and a plurality of unit IDs are preliminarily registered in each of the slave telephone sets, and the plurality of unit IDs are also registered in the master telephone set, the method comprising:

in response to hooked off of a first telephone set connected to the slave telephone set to make a telephone call, transmitting a line connection request signal and selected unit ID among the preliminarily registered unit IDs on a control channel to the master telephone set;

in response to receipt of the line connection request and the unit ID, checking whether the received unit ID is of its own slave telephone set by the master telephone set;

if the unit IDs are identical, finding a vacant communication channel and assigning this vacant communication channel to the slave telephone set;

B3 in response to the assignment of communication channel, checking whether that communication channel is vacant and, if it is vacant, transmitting a confirmation signal by the slave telephone set; and

in response to receipt of the confirmation signal from the slave unit, executing operation of line connection to the public telephone network by the master telephone set.

7. The radio telephone system according to claim 6, wherein when a second telephone set is hooked off to make a telephone call while the first telephone set is in communication, a line connection request and the unit ID are transmitted on the control channel to the unit ID; and the line connection like for the first telephone set is executed to obtain connection between the second telephone set and the public telephone network line.

B4
SUB C14 10. A radio telephone communications method, in which a plurality of slave telephone sets is connected to a public telephone network through radio communication with a master telephone set and a plurality of unit IDs are preliminarily registered in each of the slave telephone sets, and the plurality of unit IDs are also registered in a plurality of master telephone sets, the system including:

responsive to arrival of a telephone call, informing the call arrival to the slave telephone set and transmitting its unit ID by the master telephone set;

checking whether the two unit IDs are identical and selecting one of the plurality of unit IDs registered if they are identical and transmitting the selected unit ID to the master telephone set by the slave telephone set;

34 finding a vacant communication channel for communication and informing the found communication channel to the slave telephone set by the master telephone set;

543
C14 checking whether the received communication channel is vacant and if it is vacant, transmitting a confirmation signal by the slave telephone set; and

sending out via the communication channel an instruction to ring the bell to the slave telephone set when state ready for communication is brought about.

Please add the following new claims:

12. (New) A radio telephone system, in which a plurality of slave telephone sets is connected to a public telephone network through radio communication with a master telephone set, the system comprising:

35 a plurality of slave telephone sets, each slave telephone set with a plurality of unit IDs preliminarily registered;

a master telephone set with the plurality of unit IDs also registered in the master telephone set;

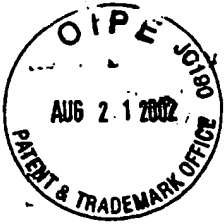
means for transmitting a line connection request signal and selected unit ID among the preliminarily registered unit IDs on a control channel to the master telephone set, in response to hooked off of a first telephone set connected to the slave telephone set to make a telephone call;

means for checking by the master telephone set whether the received unit ID is of the master telephone set's slave telephone, in response to receipt of the line connection request and the unit ID;

735 means for finding a vacant communication channel and assigning this vacant communication channel to the slave telephone set, if the unit ID is of the master telephone's slave telephone;

means for checking whether the assigned communication channel is vacant and, if it is vacant, transmitting a confirmation signal by the slave telephone set, in response to the assignment of communication channel; and

means for executing operation of line connection to the public telephone network by the master telephone set, in response to receipt of the confirmation signal from the slave unit.



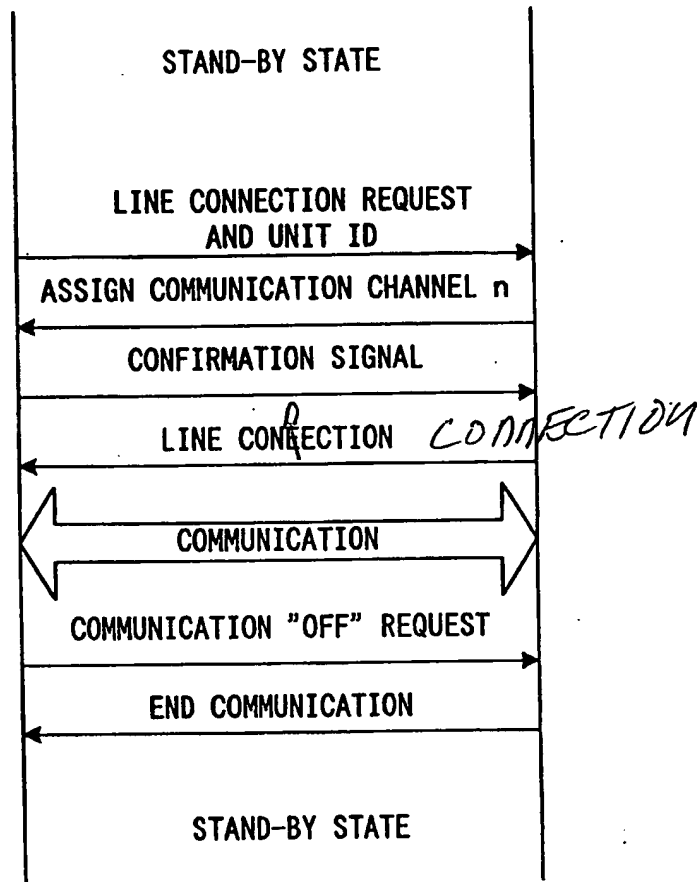
Ser. No. 09/415,205

FIG.4

PRIOR ART

SLAVE UNIT

MASTER UNIT



REMARKS

Applicant thanks the Examiner for acknowledging the claim for foreign priority and the receipt of the priority documents in support thereof.

Applicant thanks the examiner for considering the references cited in the Information Disclosure Statements filed on October 12, 1999, February 15, 2000 and August 17, 2000.

Corrections are made to certain paragraphs of the specification. These amendments contain no new matter.

The Examiner objected to Fig. 4 of the drawings on the ground that it should have included a legend such as "Prior Art." A proposed corrected drawing is submitted herewith.

New claim 12 has been added. Therefore claims 1-12 are now the claims pending in the Application.

The Examiner objected to claims 6 and 10 because of certain informalities. Minor corrections in wording have been made to claims 6 and 10. These corrections are not narrowing amendments. Further, it is Applicant's position that correction is not required for patentability. However, Applicant makes the changes to expedite prosecution of the Application. These corrections do not create estoppel.

The Examiner rejected claims 6-9 under 35 U.S.C. § 112, second paragraph, because of insufficient antecedent basis for "the opposite side" in claim 6. A minor correction in wording has been made to claim 6. This correction is not a narrowing amendment, therefore, no estoppel is created.

Rejections under § 102(b)

The Examiner rejected claims 1 and 2 under 35 U.S.C. § 102(b), as anticipated by Sotek, et al., WO 97/38370. These rejections are traversed because the cited reference fails to disclose or suggest all the claim limitations. Specifically, Sotek fails to disclose at least the following limitations of claim 1: a radio telephone system.

Applicant's claimed invention is directed to a unique and nonobvious radio telephone system and method. Sotek discloses a communication system with a master stations and a slave station. (E.g. Abstract; col. 1, lines 14-16) Sotek discloses a master station and a slave station connected to an Inter IC bus via open-collector outputs. (E.g. col. 1, lines 18-20; Figs. 1 and 4) Sotek discloses a communication system physically connected with wires (E.g. Figs. 1 and 4), which is "activated when the supply voltage is applied (power-on)" (Col. 9, lines 1-4). Sotek does not disclose a radio telephone system.

Independent claim 2 requires, *inter alia*, a radio telephone system. Therefore, claim 2 is patentably distinguishable over the prior art for reasons similar for purposes of the present discussion to the reason that claim 1 is patentably distinguishable over the prior art.

Rejection of Claim 3 under 35 U.S.C. § 103

The examiner rejected claim 3 under 35 U.S.C. § 103(a) as obvious over Sotek in view of Nakayama, U.S. Patent No. 5,687,218. This rejection is traversed.

Claim 3 is a multiple dependent claim depending from independent claim 1 or independent claim 2. Therefore, claim 3 incorporate all the limitations of claim 1 or claim 2. As discussed, Sotek does not disclose a radio telephone system.

Nakayama does not cure the deficiencies of Sotek as they relate to independent claims 1 and 2. Nakayama discloses a cordless master-slave telephone connected through a radio line. Nakayama discloses a slave unit that stores ID numbers of a plurality of master units, thereby enabling a plurality of lines to be received by a single slave unit. Nakayama does not disclose a plurality of unit IDs registered in the master telephone set, as *inter alia* required by claim 1 and by claim 2.

The Examiner points to col. 2, lines 54-64 of Nakayama and alleges that this passage discloses that when either one of the master receives a call, it calls the slave using the ID number of the self station. However, this passage refers to the ID number, implying that there is only one ID number corresponding to a slave. This is consistent with the rest of the Nakayama disclosure, which is concerned with slaves storing the ID numbers of a plurality of masters, not registering a plurality of unit IDs in the master sets. Therefore, Nakayama does not disclose a plurality of unit IDs registered in the master set, as *inter alia* required by claim 1 and claim 2. Therefore neither Sotek nor Nakayama teach or suggest the limitations of claim 1 and 2. Accordingly, claim 3 is patentably distinguishable over the prior art for at least the reasons that claims 1 or 2 are patentably distinguishable over the prior art.

Rejection of Claim 4 under 35 U.S.C. § 103

The examiner rejected claim 4 under U.S.C. § 103 as obvious over Sotek in view of Wakayama, U.S. Patent No. 6,212,221. This rejection is traversed.

Claim 4 is a multiple dependent claims depending from claim 1 or claim 2. Wakayama does not cure the deficiencies of Sotek. Wakayama discloses a communication apparatus having master sets with slave sets connected wirelessly using a spread spectrum communication method. Wakayama does not disclose a plurality of unit IDs registered in the master set, as *inter alia* required by claim 1 and claim 2. Therefore Sotek and Wakayama do not teach or suggest the limitations of claim 1 and 2. Accordingly, claim 4 is patentably distinguishable over the prior art for at least the reasons that claims 1 or 2 are patentably distinguishable over the prior art.

Rejection of Claim 5 under 35 U.S.C. § 103

The examiner rejected claim 5 under U.S.C. § 103 as obvious over Sotek in view of Wakayama, and further in view of Nakayama. This rejection is traversed.

Claim 5 is a multiple dependent claim depending from claim 1 or claim 2. As discussed, neither Wakayama nor Nakayama cures the deficiencies of Sotek. Accordingly, claim 5 is patentably distinguishable over the prior art for at least the reasons that claims 1 or 2 are patentably distinguishable over the prior art.

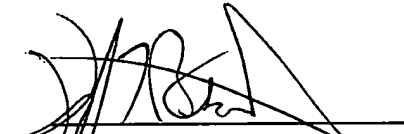
The Examiner stated that claims 10 and 11 would be allowable if rewritten or amended to overcome the claim objections. As mentioned above, claim 10 has been amended. Thus, claim 10 and its dependent claim 11 should be allowable.

New claim 12 has been added. Claim 12 patentably distinguishes over the prior art for the reasons that claims 1-11 do so.

In view of the foregoing discussion, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,


Howard L. Bernstein
Registration No. 25,665

SUGHRUE MION, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3213
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

Date: August 21, 2002

APPENDIX
VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION:

The specification is changed as follows:

Page 3, second full paragraph

When the master ~~slave~~ receives the line connection request and the unit ID, it checks whether the ~~receives~~-unit ID is of its own slave telephone set. If the two unit IDs are identical, the master telephone set finds a vacant communication channel, and assigns the found vacant communication channel n to the slave telephone set.

Page 13, second full paragraph

The operation of the embodiment will now be described. Fig. 3 2 is a view showing a control sequence in the radio telephone system in this embodiment. In the radio telephone system to be described with reference to Fig. 3 2, two unit IDs (XX, YY) are registered in the slave unit at the time of the manufacture. The IDs (XX, YY) of the slave telephone set are also registered in the master telephone set by a registering operation. Two telephone sets A and B are connected to the master ~~slave~~ telephone set.

IN THE CLAIMS:

The claims are amended as follows:

6. A radio telephone communications method ~~system~~, in which a plurality of slave telephone sets is connected to a public telephone network through radio communication with a

master telephone set and a plurality of unit IDs are preliminarily registered in each of the slave telephone sets, and the plurality of unit IDs are also registered in the master telephone set, the method comprising system including steps of:

in response to hooked off of a first telephone set connected to the slave telephone set to make a telephone call ~~to the opposite side~~, transmitting a line connection request signal and selected unit ID among the preliminarily registered unit IDs on a control channel to the master telephone set;

in response to receipt of the line connection request and the unit ID, checking whether the received unit ID is of its own slave telephone set by the master telephone set;

if the unit IDs ~~is~~ are identical, finding a vacant communication channel and assigning this vacant communication channel to the slave telephone set;

in response to the assignment of communication channel, checking whether that communication channel is vacant and, if it is vacant, transmitting a confirmation signal by the slave telephone set; and

in response to receipt of the confirmation signal from the slave unit, executing operation of line connection to the public telephone network by the master telephone set;

7. The radio telephone system according to claim 6, wherein when a second telephone set is hooked off to make a telephone call ~~to the opposite side~~ while the first telephone set is in communication, a line connection request and the unit ID are transmitted on the control channel to the unit ID; and the line connection like for the first telephone set is executed to obtain connection between the second telephone set and the public telephone network line.

10. A radio telephone communications method system, in which a plurality of slave telephone sets is connected to a public telephone network through radio communication with a master telephone set and a plurality of unit IDs are preliminarily registered in each of the slave telephone sets, and the plurality of unit IDs are also registered in a plurality of master telephone sets, the system including ~~steps of~~:

responsive to arrival of a telephone call, informing the call arrival to the slave telephone set and transmitting its unit ID by the master telephone set;

checking whether the two unit IDs are identical and selecting one of the plurality of unit IDs registered if they are identical and transmitting the selected unit ID to the master telephone set by the slave telephone set;

finding a vacant communication channel for communication and informing the found communication channel to the slave telephone set by the master telephone set;

checking whether the received communication channel is vacant and if it is vacant, transmitting a confirmation signal by the slave telephone set; and

sending out via the communication channel an instruction to ring the bell to the slave telephone set when state ready for communication is brought about.

Claim 12 is added as a new claim.



#71
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PATENT APPLICATION

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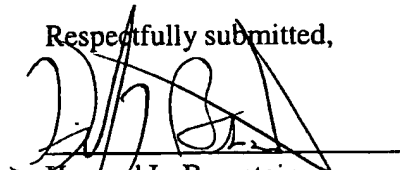
REQUEST FOR APPROVAL OF PROPOSED DRAWING CORRECTIONS

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith please find 1 sheet of proposed drawing corrections with the changes indicated in red ink. The Examiner is respectfully requested to acknowledge receipt of the drawing corrections and approve the changes.

Respectfully submitted,


Howard L. Bernstein
Registration No. 25,665

SUGHRUE MION, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3213
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

Date: August 21, 2002

Approved
4/27/02

Office Action Summary

Application No.
09/415,205

Applicant(s)
Igarashi

Examiner
Joy Contee

Art Unit
2681



— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Aug 21, 2002
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4, and 6-12 is/are rejected.
- 7) ☒ Claim(s) 3 and 5 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirements.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on Aug 27, 2002 is/are a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
- ☐ Interview Summary (PTO-413) Paper No(s). _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____